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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,538	05/31/2000	Vijnan Shastri	P3718	6009

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CENTRAL COAST PATENT AGENCY
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EXAMINER

SHAH, SANJIV

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 12/08/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/586,538

Applicant(s)

SHASTRI ET AL.

Examiner

Sanjiv D. Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbon (Patent # 6,473,778) in view of Orr (Patent # 6,430,357).

Regarding claims 1 and 8, Gibbon teaches method of editing video presentation as described in the abstract of the invention.

Extracting and time-stamping closed caption (CC) text is described in col. 2, lines 1-7 and col. 3, lines 5-7.

Gibbon teaches the analog video editing and converting analog video to digital video as described in col. 11, lines 63-67.

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Gibbon teaches determining start position and end position of video frame and topic changes as described in col. 8, lines 46-col. 10, lines 47. However it fails to specifically teach topic change detection as claimed. Orr does.

Specifically Orr teaches determining the position of topic changes in the video presentation by analyzing the closed caption is described in col. 3, lines 52-col. 4, lines 26, wherein Orr teaches parsing or analyzing closed caption data to determine selected section which is equivalent to claimed determining topic changes.

Using the topic change position in an edited version of the video presentation is described in col. 4, lines 50-60, wherein Orr teaches the user annotation (editing) between the scene changes or topic changes.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate determining topic changes in presentation of Orr in the method of Gibbon because it provides user with editing opportunities such as adding annotations or animation.

Regarding claims 2 and 9, Gibbon teaches the claimed invention of comparing words in CC as described in col. 9, lines 51-67, wherein Gibbon teaches comparing words in a sentences to determine start point and end point that is equivalent to the claimed feature.

Regarding claims 3 and 10, Gibbon teaches the claimed invention of nouns is described in col. 9, lines 9-22.

Regarding claims 4, 5, 11 and 12, Gibbon teaches the claimed invention of slide show icon (thumbnail) for selecting key frames from the video presentation as described in col. 12, lines 30-35. Selecting the portion of video frame is described in col. 12, lines 16-21.

Regarding claims 6 and 13, Gibbon teaches extracting portions of other media streams in a multimedia streams as described in col. 12, lines 1-15 that is associated with icon. Extracting closed caption data is described above with respect to claim 1.

Regarding claims 7 and 14, Gibbon teaches the claimed invention of displaying closed caption with icons as shown in fig 2.

Regarding claim 15, Gibbon teaches the Netscape browser with digitized video and time stamped data as shown in fig 7. It is obvious that the data is transmitted over the Internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (703) 305-8355. The examiner can normally be reached on M-F 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Sanjiv D. Shah
Primary Examiner
Art Unit 2176

S. Shah
November 26, 2003